

1 DIANA S. EBRON, Esq.
2 Nevada Bar No. 10580
3 E-Mail: diana@kgelegal.com
4 JACQUELINE A. GILBERT, Esq.
5 Nevada Bar No. 10593
6 E-Mail: jackie@kgelegal.com
7 KAREN L. HANKS, Esq.
8 Nevada Bar No. 9578
9 E-Mail: karen@kgelegal.com
10 KIM GILBERT EBRON
11 7625 Dean Martin Drive, Suite 110
12 Las Vegas, Nevada 89139-5974
13 Telephone: (702) 485-3300
14 Facsimile: (702) 485-3301
15 *Attorney for Defendant/Counterclaimant/Cross-Claimant,
SFR Investments Pool 1, LLC*

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17 **UNITED STATES DISTRICT COURT**
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19 **DISTRICT OF NEVADA**

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THE BANK OF NEW YORK MELLON
FKA THE BANK OF NEW YORK, AS
TRUSTEE FOR THE
CERTIFICATEHOLDERS OF CWALT,
INC., ALTERNATIVE LOAN TRUST 2005-
1CB, MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2005-1CB,

Plaintiff,

vs.

JEAN BIRMINGHAM; MORTGAGE
ELECTRONIC REGISTRATION
SYSTEMS, INC.; SFR INVESTMENTS
POOL 1, LLC; PEARL COVE II
HOMEOWNERS ASSOCIATION; DOE
INDIVIDUALS I-X, inclusive; and ROE
CORPORATIONS I-X, inclusive,

Defendants.

SFR INVESTMENTS POOL 1, LLC,

Counterclaimant/Cross-Claimant,

vs.

THE BANK OF NEW YORK MELLON
FKA THE BANK OF NEW YORK, AS
TRUSTEE FOR THE
CERTIFICATEHOLDERS OF CWALT,

Case No.: 2:17-cv-01030-MMD-GWF

**ORDER GRANTING MOTION TO
SERVE JEAN BIRMINGHAM BY
PUBLICATION**

-and-

**ORDER GRANTING MOTION TO
ENLARGE TIME TO SERVE
SUMMONS AND CROSS-CLAIM**

1 INC., ALTERNATIVE LOAN TRUST 2005-
2 1CB, MORTGAGE PASS-THROUGH
3 CERTIFICATES, SERIES 2005-1CB;
4 MORTGAGE ELECTRONIC
5 REGISTRATION SYSTEMS, INC. as
6 Nominee Beneficiary for MIRAD
7 FINANCIAL GROUP; JEAN
8 BIRMINGHAM, an individual,

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10 Counter-Defendant/Cross-Defendants.
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12 Upon reading the Affidavit of Due Diligence; it appearing that an Answer, Counterclaim,
13 and Cross-Claim has been filed; that a Summons directed to Cross-Defendant, JEAN
14 BIRMINGHAM has been issued [ECF No. 32-1]; that Cross-Defendant, Birmingham is a
15 necessary party; and that Cross-Defendant Birmingham cannot be found to be personally served
16 in the State of Nevada, and good cause appearing therefore,

17 **IT IS HEREBY ORDERED** that since the Cross-Defendant, JEAN BIRMINGHAM,
18 cannot now be found so as to be personally served, she may be served by publication of the
19 Summons at least once a week for four (4) weeks in the Nevada Legal News, a newspaper of
20 general circulation.

21 **IT IS FURTHER ORDERED** that a copy of the Summons and Answer, Counterclaim,
22 and Cross-Claim shall be mailed forthwith to Cross-Defendant Birmingham, first class mail,
23 postage prepaid, addressed to the Cross-Defendant's last known address.

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1 **IT IS FURTHER ORDERED** that SFR's Motion to Enlarge Time to Serve is GRANTED
2 and the time for service is extended by an additional 60 days from the date of this order is entered
3 to allow SFR Investments Pool 1, LLC ("SFR") to effectuate service by publication.

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5 Dated this 14th day of September , 2017.

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8 UNITED STATES MAGISTRATE JUDGE

9 Submitted by:

10 **KIM GILBERT EBRON**

11

12 /s/ Diana S. Ebron
13 DIANA S. EBRON, Esq.
14 Nevada Bar No. 10580
15 E-Mail: diana@kgelegal.com
16 JACQUELINE A. GILBERT, Esq.
17 Nevada Bar No. 10593
18 E-Mail: jackie@kgelegal.com
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22 KIM GILBERT EBRON
23 7625 Dean Martin Drive, Suite 110
24 Las Vegas, Nevada 89139-5974
25 Telephone: (702) 485-3300
26 Facsimile: (702) 485-3301
27 *Attorney for Defendant/Counterclaimant/
28 Cross-Claimant,
 SFR Investments Pool 1, LLC*

KIM GILBERT EBRON
7625 DEAN MARTIN DRIVE, SUITE 110
LAS VEGAS, NV 89139
(702) 485-3300 FAX (702) 485-3301